MAR 0 3 2006



### Fitch, Even, Tabin & Flannery

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#### TELECOPIER COVER SHEET

Client/Matter Nos: 77016

Date: March 3, 2006

The transmission that follows totals 17 pages, including this cover sheet. Please deliver immediately to the following:

Mail Stop Amendment

Art Unit: 1761

Fax: (571) 273-8300

Confirmation No.: 7259

Re:

U.S. Application No.: 10/697,402

AKASHE, et al.

This transmission is being sent by ramon r. hoch, please call (202-419-7000) if there is a problem with this transmission.

#### **COMMENTS:**

#### CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on March 3, 2006.

Ramon R. Hoch, Reg. No. 34,108

Attached Paper(s):

1) Transmittal

(2 pages);

2) Amendment

(14 pages).

\*\*\*\*\*\*\*\*\*\*\*\*

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## MAR 0 3 2006

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.:	10/697,402	) Confirmation No. 7259				
Filed:	October 29, 2003	) CERTIFICATE OF MAILING				
Applicant(s):	AKASHE, et al.	l hereby certify that this paper is being deposi with the United States Postal Service with suffici				
Title:	METHOD OF DEFLAVORING WHEY PROTEIN					
Art Unit:	1761					
Examiner:	Weier, Anthony J.	Date  Registration No.  Attorney for Applicant(s)				
Attorney Doc	ket: 77016	}				
Customer No	o.: 48940	<b>,</b>				

#### TRANSMITTAL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment/reply in the above-identified application.

- An Appendix including amended drawing figures labeled as "Annotated Marked-up Drawings" is enclosed.
- A Petition for Extension of Time for reply is attached.
- No Petition for Extension of Time is required.
- A Terminal Disclaimer(s) is enclosed together with a fee payment sheet.
- Mo additional claim fee is required.

#### Fee Calculation For Claims As Amended

	As Amended		Previously Paid For		Present Extra		Rate		A	iditional Fee
Independent Claims	1	-	3	**=	0	×\$	200.00	=	\$	0.00
Total Claims	23	-	32	• =	0	- ×\$	50.00	=	\$	0.00
Fee for Multiple Dependent Claims						\$	360.00		\$	0.00
** At least 3					Total A	dditio	nal Fee		\$	0.00

# RECEIVED CENTRAL FAX CENTER

MAR 0 3 2006

Application No. 10/697,402 Transmittal of Amendment dated March 3, 2006 Reply to Office Action of Dec. 28, 2005

		* At least 20			
	<u> </u>	Applicant(s) assert entitleme (37 C.F.R. § 1.27), thus reduce	· · · · · · · · · · · · · · · · · · ·	\$	0.00
□	A cl	heck in the amount of \$	is enclosed.		
<u>_</u>	Cha	arge \$to Deposit Accou	nt No. 06-1135.		
旦	be i	required in this application undit any overpayment, to Depo closed herewith, the Commissi	authorized to charge any additionander 37 C.F.R. §§1.16-1.17 during its easit Account No. 06-1135. Should no poner is authorized to charge the unpaid e copy of this sheet is enclosed.	entire pende proper payı	ency, or ment be
Dat	:e:	March 3, 2006	Ramon R Hoch	Hoch	

Registration No. \_\_\_\_

34,108

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

) Confirmation No. 7259 In re application of: AKASHE, ET AL. 77016 ) Attny. Dkt.: Serial No.: 10/697,402 ) Group Art Unit: 1761 Weier, Anthony J. Filed: October 29, 2003 ) Examiner: For: METHOD OF DEFLAVORING ) ) WHEY PROTEIN Mail Stop Amendment Commissioner for Patents P.O. Box 1450

#### AMENDMENT

Sir:

Alexandria, VA 22313-1450

In response to the Office Action dated December 28, 2005, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.